

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 21-MJ-274 (BRT)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MICHAEL PAUL DAHLAGER,)
)
Defendant.)

ORDER

This matter came on before the Court on April 9, 2021, for a preliminary and detention hearing. Mr. Dahlager was present and represented by Robert Richman, Esq. The United States was represented by Assistant U.S. Attorney Andrew R. Winter.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The defendant made his initial appearance on a complaint on April 7, 2021. The complaint alleged that the defendant possessed and transferred two machine guns (auto sear devices) in violation of 18 U.S.C. Section 922(o). At this hearing, the government moved for detention pending trial.

2. On April 9, 2021, this Court conducted both a preliminary hearing and a detention hearing. The government presented the facts set forth in the complaint affidavit as well as the testimony of FBI Special Agent Jason Bujold. SA Bujold testified that the investigation was initiated when the defendant made concerning statements about law enforcement and displayed to a CHS what appeared to be an auto sear and a firearm suppressor. SA Bujold testified that the defendant later delivered two auto sears to the CHS.

The two auto sears were then examined by personnel from the ATF who concluded the devices meet the definition of a “machinegun” under federal law. Upon his arrest and after being advised of his *Miranda* rights, the defendant admitted purchasing ten 3D printed auto sears and he admitted knowing the illegal nature of those devices. Based upon this and other details offered into evidence, the Court finds that probable cause exists to believe that the defendant committed the offense alleged in the complaint.

3. Further, the Pretrial Services report provided to this Court recommended detention pending trial based both on risk of flight and on danger to the community. Based upon the record before the Court, this Court does not find that the government has met its burden to demonstrate that the defendant presents a risk of flight. However, the Court does find by clear and convincing evidence that the defendant presents a danger to the community and it is on this basis that detention is ordered.

4. This Court relies on a number of facts in the record for its conclusion that detention is appropriate. First, the nature of the alleged offense is serious. Second, the defendant is or recently was a member of the Boogaloo Bois. The Boogaloo Bois are a loosely organized group of anarchists espousing pro-gun and often violent anti-government rhetoric. Third, the defendant made statements about harming law enforcement and expressed a desire to commit “suicide by cop.” The Court notes that the defendant was in possession of auto sears, a suppressor, firearms, large quantities of ammunition, and tactical equipment. Fourth, the information presented suggests that the defendant may be struggling with mental health issues. Taking all these facts together, there is clear and

convincing evidence of the danger to the community were the defendant to be released pending trial.

THEREFORE, IT IS HEREBY ORDERED that:

1. The motion of the United States for detention without bond is GRANTED;
2. The defendant shall be committed to the custody of the Attorney General pending further proceedings. The defendant shall be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. The defendant shall be afforded reasonable opportunity to consult privately with his lawyer; and
4. Upon Order of the Court or request by the United States Attorney, the person in charge of the correctional facility in which the defendant is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with a court proceeding.

Dated: April 12, 2021

s/Becky R. Thorson

Becky R. Thorson
United States Magistrate Judge